EXIT CAPT. WESTERVELT. RETIRES ON A PENSION AND HIS PROSE CUTION IS STOPPED.

Police Department Left Wondering if There Was a Bargain With Mr. Philbin-Bitter Feeling Against Westervelt for Getting

Out Under Fire-McClusky in His Shoes Rather than stand trial on the charges of failing to suppress poolrooms in his precinct and of neglect of duty brought against him by District Attorney Philbin, Capt. Josiah Westervelt of the Charles street station resigned from the Police Department yesterday. His application for retirement was placed in the hands of Commissioner Murphy yesterday morning and was immediately granted.

The whole proceeding went like clock work. When Capt. Westervelt, after a conference with Mr. Philbin, appeared at Headquarters his retirement papers were waiting to be signed. Within ten minutes after he was ushered into Commissioner Murphy's office the captain had obtained his retirement on half pay, had handed his gold badge over to Chief Clerk Kipp, had shaken hands with some of his friends and was out in Mulberry street, a plain citizen.

low.

While neither Westervelt nor Mr. Philbin would admit as much, it is well understood in the Police Department that the captain was forced out by the District Attorney. Westervelt agreed to quit if the charges against him were dropped. This satisfied Mr. Philbin. The District Attorney takes the position that the welfare of the community will be served if incompetent policemen get off the force, and it doesn't matter whether such men cease to be policemen by their own volition or are ousted by the courts, so long as they are forced out. The District Attorney gave out this statement yesterday concerning Westervelt:

"Capt. Westervelt was proceeded against solely because he had neglected his duty, and the welfare of the community, therefore, demanded that he cease to be a police captain. In view of the fact that there was no legal evidence proving that Capt. Westervelt was guilty of any more serious offence, the proceedings against him will be discon-

Despite this explanation the news that Capt. Westervelt had been allowed to retire without a protest caused a whole lot of uneasiness in the department. Some wise policemen asked if Mr. Philbin was the sort of man to let a captain he had singled out for prosecution, and who was defantly derelict, escape by the easy process of applying for retirement, and there were anxious inquiries as to just what understanding was reached between Westervelt and the District Attorney at the conference which preceded the former's appearance at headquarters yesterday morning. Westervelt is known as a shrewd policeman. He has been tried on charges before, but always has come out with a whole skin, and there was no reason to believe that the evidence which Mr. Philbin had gathered against him would be any more serious than other proof presented against him in previous trials.

Outsides wondered it a very comprehensive compact had not been made between Despite this explanation the news that

believe that the evidence which Mr. Finding had gathered against him would be any more serious than other proof presented and many more serious than other proof presented and the proof presented in a very comprehensive compact had not been made between Westervelt and the District Attorney, and if maybe the Committee of Fifteen in a last within many to the committee of the many that the proof proof presented in the proof proof

had served longer than the legal period en-titling him to half pay. I understand that Westervelt decided to resign after a con-sultation with the District Attorney, but as to just what influence was brought to bear upon him. I have not the least knowledge."

to Just what influence was brought to bear upon him. I have not the least knowledge."

Westervelt was a policeman more than thirty-four years. He was appointed in 1867, was made a roudasman in 1868, sergeant in 1870 and captain in 1887. He was last in command of the Church street station, when the raid on Ridge Levler's poolroom at 20 Dey street was made on evidence supplied by the Committee of Five. Five of Westervelt's policemen were found in the place when the raid was made. In politics Westervel has been classed as a Republican. He is prominent as a Mason. His retired pay will amount to \$1.375, but he is reported to bevery well-to-do apart from that. Capt. George McClusky, Deputy Commissioner Devery's "Chesty George," who has been in retirement in the cellar of the Grand Central station since the big shake-up of last December takes Westervelt's place at the Charles street station.

ber takes Westerveit's place at the Charles Street station.

Capt Henry Frers was also retired on half pay yesterday. His retirement follows a report of the department surgeons that he was not physically fit for duty.

He was appointed a policeman in 1880. Col Murphy says that he will not appoint any new captains, as there have been more than are required to command the precincts. The hearing in the case of Capt Herlihy who is charged with neglect of duty in failing to suppress disorderly resorts while in command of the Eidridge street station, was taken up yesterday morning before Magistrate Cornell in the Centre street police court. The complaining attidayi of James B. Reynolds was read and the case was then adjourned until Friday next.

MAYOR HARRISON'S CABINET.

Francis O'Netll Head of Police-Lawrence

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E. McGann City Comptroller CHICAGO, April 30 - Mayor Harrison named his new Cabinet last night at a Council meeting. The appointments were as follows: Superintendent of Police, Capt. Francis O'Neill: City Comptroller, Lawrence E Me-Gann: Commissioner of Public Works, Frank W. Blocki; Corporation Counsel, Charles H. Walker: Commissioner of Health, Arthur B. Reynolds; City Electrician, Edward B. B. Reynolds; City Electrician, Edward B. Ellicott: Commissioner of Buildings, Peter Kieibassa: City Collector, Frank X. Brandecker. Oil Inspector, Robert E. Burke, City sealer, James A. Quinn, City Prosecutor, Howard S. Taylor, Private Secretary to the Mayor, Edward M. Lahiff, Chief Marshal of the Fire Department, no appointment.

Except for the first three men on the list the present incumbents of the offices were reappointed. The new Chief of Police, Francis O'Neill, is captain of the Woodlawn are nue station. He has been on the force twenty-eight years and has the reputation of being the most in elligent in the department.

The appointment of Lawrence E. McGann, for four years Commissioner of Public Works, as City Comptroller, was the greatest surprise to the Aldermen and city officers. It is pecognized as a step toward turning the city's as City Comparoller was the greatest surprise to the Aldermen and city officers. It is
recognized as a step toward turning the city's
finances wide open, and doing away with the
reforms started by Comptroller Kerfoot.
Frank W. Blocki, the new Commissioner of
Public Works, was formerly Commissioner of
McGann's deruty. He never held an execulive office and until his appointment as Deputy Commissioner of Public Works had not
held any political appointment.

WHAT WAS IN EXPLODING BOX? Only Matches and Tobacco. Says Man Who Left

on Chapter of the Daughters of the Ro-It With Shoe Dealer. lution of New York city visited the Military Jacob Levy, who after buying a pair of Academy to-day. They arrived at noon under the charge of Mrs. John T. Wise and Mrs. T. Blackford and lunched at the hotel in the afternoon, through the couriesy of Col. Mills, the superintendent, the visitors were shown about the post and inspected the many public buildings. At 4 o'clock they witnessed the review and inspection of the battalion of cadets on the plains and left for New York at 8 o'clock. Academy to-day. They arrived at noon shoes in the store of David Lubitt at 85 Manhattan avenue, Williamsburg, Monday night, left behind a box which exploded and injured a box when Lubitt threw it in the street, was arraigned yesterday in the Even street police court. He acted as if demented and said that all he remembered being in the box were matches and tobacco. He was held in \$100 ball until to-morrow.

Peter S. Miller Wants a Divorce.

Peter S. Miller is suing Maria Miller in the Supreme Court in Brooklyn for an absolute divorce. The plaintiff alleges that the first knowledge he had that he was married to the defendant was one morning when he woke up and was surprised to learn the fact from her. He declares that he never lived with her, and he charges her with having kept a disorderly house at Hammel Station in the country of the Magistrate that he had acted only in the capacity of counsel and had had no share in Stoddard's deception.

HORSE VS. AUTOMOBILES. The Horse Wins in a Decision of the Appellat

ROCHESTER, April 30 .- The Appellate Di-

rision to-day decided the Jonathan West automobile case in favor of Mason Bros. the laundrymen who sued West for damages for an accident that happened in October, 1898, and for which they sought to hold West responsible. This is the first automobile negligence case that has reached the Appellate Division, and the point raised is an important one. It involves the respective rights of the horse and horseless carriages, and the horse has won.

judgment of the Municipal Court.

no negligence was shown.

to operate it on the streets.

uch quantities the inventor was negligent.

and decorously, the decision declares, in

order to escape the wrath of the courts when

disagrees with his colleagues, filing a dis-

senting memorandum, in which he holds that

Mr. West has died since the action was

and son, who will probably appeal to the

Court of Appeals. They still have the auto-

A Statesman's Cigar Stand in the Way-Hear

ing Before the Mayor.

opened and the increased admission fee will

be charged. The formal opening will occur

CLERICAL CHANGES IN BROOKLYN.

YOU MAY SPIT IN SMOKING CARS.

On the Floor if There Are No Cuspidors, Ac-

cerding to Magistrate Crane,

Frank Reilly of 443 West Twenty-fifth

street was arrested yesterday for spitting

on the floor of a Sixth avenue surface car.

His excuse was that he was smoking in

smoking car, and that it was necessary for

him to spit.

"I'll discharge you," said Magistrate Crane in Jefferson Market Police court. "It smoking cars are run cuspidors ought to be placed in them. A smoker has to spit I don't believe the ordinance was meint to cover

Daughters of the Revolution Visit West Point.

WEST POINT, April 30 Martha Washing-

Swindler Stoddard's Lawyer Exenerated.

Whipple O. Sayles, the lawyer arrested

last week for receiving \$100 which had

been sent by Mrs. J. A. Currie of Toronto

The driver for Mason Bros. left his wagon standing in Tracey Park on the date mentioned while he went inside a house to get package. Mr. West, who was the inventor of an automobile, the first one to make its appearance in Rochester, hove in sight with his vehicle. It is run by steam and made a noise like a locomotive and spat steam in large quantities. The horse took fright and ran | the right ear, a bruise surrounding the left away and brought up at a hydrant. The wagon was damaged and the horse badly injured. Suit was brought in the Municipal Court, which returned a judgment in favor of Mason Bros. for \$41. Mr. West appealed from this decision, and Ing fracture of the ribs, Dr. Bodine said. Judge Sutherland in the County Court wrote an interesting opinion, setting forth the respective rights of the owners of horses and carriages and horseless vehicles. He

when oxen and wagons were alone in use, and said that Mr. West had a right to pass heavy weight with a soft impact. through the streets with the machine he had devised, provided that he did not run it recklessly. In closing, the court set aside the produce such a result. The Appellate Division finds that in run-

ning a machine through the streets that death? A. Before death. made so much noise and emitted steam in Q. Would the blow behind the ear cause death? A. Death has often resulted from The automobile must conduct itself quietly

Q. Now assuming that a man had pneu-

Q. Now assuming that a man had pneumonia and chronic nephritis would such a pressure on the chest produce heart failure sufficient to cause death? A. It ought not produce heart failure, but it might be sufficient to ourse death.

Dr. James Ewing of 256 West Fifty-seventh street testified that he witnessed the autopsy on Wadman's body, and while the lungs showed traces of catarrhal pneumonia, the heart, kidneys and spicen were normal. The wounds and bruises found on the body he believed were contributory causes to Wadman's death. accidents occur. Presiding Justice Adams begun, but it has been fought by his widow

mobile and are desirous of proving their right Dr Prince A Morrow of 66 West Fortieth street said that Wadman's organs appeared to be normal. His own impression was that the vital organs were in an unusually healthy HEWITT FOR BRIDGE TERMINAL BILL.

I attribute his death to external violence." Mayor Van Wyck gave a public hearing replied the witness emphatically.

Dr. Frank Ferguson, the pathologist, who was also present at the autopsy, in reply to the Coroner expressed this opinion:

"The bruises might have contributed to the death, but I don't think they were the vesterday on the McCarren bill, providing for the taking of property for the extension of the Manhattan terminal of the Brooklyn Bridge in order to do away with the crowding

the death, but I don't think they were the sole cause."

Mrs. Amanda A. Freeland of 1854 Park avenue, Mrs. Wadman's mother, testified that Wadman was in good health when he left home, and the widow's sister-in-law told how when she and Mrs. Wadman visited the Manhattan State Hospital they were not allowed to see Wadman. Then Dr. Hareld Barclay of Bellevue, who was in charge of the insane ward in February and who Mrs. Wadman testified on Monday said to her: "You'd look nice in widow's weeds carrying a wreath at the funeral," was called He denied that he had said anything of the kind to her. n the rush hours. Ex-Mayor Hewitt explained to the Mayor that the bill was drawn

be charged. The formal opening will occur on May 2). At a meeting of the directors held yesterday afternoon it was decided to charge 5) cents for adults and 25 cents for children under 14 years of age on Sundays, the same as on weekdays. This was done because the first mortgage bonds were issued on the understanding that this would be the admission fee charged.

Detective Sergeant James F Vallely and Thomas F Adams, of New York are here to take charge of the Exposition's detective bureau. There will be fifty members on the detective force. The Common Council has appropriated \$10,000 for the work, although \$18,000 was asked for by Superintendent Bull.

To-day Mayor Diehl sent to William Hamlin of this city ticket No. 1 for admission to the exposition. Mr Hamlin subscribed to \$20.000 worth of stock to get the bit of pasteboard which undoubtedly will never be used to again admission to the grounds. Some time ago Mr Hamlin offered to pay \$5,000 cash for the ticket, but the exposition authorities were more anxious to dispose of stock and Mr Hamlin then offered to take \$20,000 worth of stock for the coveted ticket. tock for the coveted ticket

Father Dubigg to Come From Sayville-Father Mundelone May Be Chancellor. Bishop McDonnell of the Brooklyn Catho e diocese has transferred the Very Rev Dean Thomas S. Duhigg from the rectorship of St. Lawrence's Parish, Sayville, L. I., to

the parish of St. John the Evangelist in Brooklyn. The Rev. James Flood, who has been an assistant in St. Augustine's Church for nine years, goes to sayville as Father Duhigg's successor. Father Duhigg has had charge of the Sayville parish since its organization six years ago and his transfer to Brooklyn has caused much regret among not only the members of his own congregation but the townspeeple at large. His new field is one of the oldest parishes in Brooklyn, having been organized in 1840 and it has a membership of over 8,000.

It is said to be the intention of Bishop McDonnell, should Mgr. William 1. Barett, his private secretary, who is on his way to Rome, be appointed rector of the North American College in that city, to choose the Rev. Father Mundelone in his place and to make the Rev. Martin J. Hogan, who is in Rome perfecting himself in terman and Italian, Chancellor of the Brooklyn diocese. ine years, goes to Sayville as Father Duhigg's Novelty Fabrics

suitable for Shirt Waists, Wash Dresses and Graduating Gowns.

Also many new effects in Ecru Embroidered Swiss, Batistes, and Grenadines,

ranging from 40c. to \$2 per yard.

Summer.

Lord & Taylor,

GLEANSING 221 E. 38th St. STEAM AND COMPRESSED AIR. TEL 1531 38TH ST.

SO ONE DOCTOR DECLARES AT THE INQUEST ON THE LUNATIC.

Three More Physicians Say That Violence Was a Contributory Cause-Testimony That He Was Healthy When He Entered Bellevue Three Ribs Broken Somewhere.

Five physicians testified yesterday at the man in the Manhattan State Hospital after ten days' confinement in that hospital and in the insane ward at Bellevue, and one of them declared flatly that Wadman's death was due to external violence. Three others expressed the opinion that the broken ribs and other injuries discovered after the lunatie's death were causes contributing to death. Dr. John A. Bodine of 128 East Thirtyfourth street who examined Wadman's body when it was received at his home, 1854 Park avenue, testified that there was a bruise over eye and an abrasion two and a half inches long on the left breast, besides blue spots on the arm, a bruise on the left wrist and bruises on the left kneecap, and the calf. There was also a depression on the left breast show-Those he described were only the largest bruises. There were smaller ones, too. In reply to the Coroner Dr. Bodine said that the in juries could be caused by a blow or a kick. protested against going back to the times In his opinion they were the result of violence The broken ribs must have been produced by a

> Q. Would the pressure of a knee on the chest produce the result? A. Yes, the pressure of a man kneeling on the chest would Q. Were the bruises caused before or after

"From the condition of the body what ould you consider to be the cause of death?"

clay said, by the restraining sheets used when the patient became violent.

Q. There were no injuries to the eye, chest or kneecap when he was delivered to the Manhattan State Hospital? A. No, sir. Here's the receipt signed by Dr. Wright of the Manhattan State Hospital to prove it.

Q. Did you ever see a patient roughly handled or ill-treated in the insane ward? A. No, sir, I did not.

Reuben M. Wright, head nurse of the insane pavilion in Bellevue, swore that Wadman was violent during the greater part of the time he was in the pavillen. "I pon my honor as a gentleman," added Wright, "I saw no violence used toward Wadman in Bellevue Hospital."

John B. Ludwig, the nurse whom Wadman

Hospital a Ludwig, the nurse whom Wadman I at Bellevue, finally told about the Wadman without warning, struck the left temple and in the mouth. That was all he remembered When ned consciousness he found that he televen teeth Ludwig exhibited also need had, a hill for \$25 feet. t eleven teeth Ludwig exhibited false teeth had a bill for \$25 from a t to clinch his statement hearing was adjourned till to-morrow, the Manhattan State Hospital people il their side of the Wadman story. It is

White Goods Department.

We direct attention to our enlarged department, in which we are showing a most extensive line of exclusive

and Designs,

The above goods are recommended by the leading dress makers of Europe and America, and will be much worn this coming Spring and

CARPET C. H. BROWN CO.

ACCUSED SALESWOMAN OF THEFT. 2 DR. VAN GIESON HOLDS ON, WADMAN DIED OF VIOLENCE Excited Shopper Determined to Panish Some

body for the Loss of Her Purse. Celia Beauchamp of 70 (hristopher street, lost her purse in a Fourteenth street dry goods store on Monday afternoon. She says it was stolen from the counter on which she placed it. The woman became very much excited and attracted a crowd of shoppers by accusing a saleswoman of stealing squest into the death of Herbert C. Wad- it. The store detective offered to have the saleswoman searched, she assenting, but some of the shoppers protested that she should not be searched. The saleswoman has been in the dry goods business for twenty

years.
Yesterday Miss Beauchamp reported her loss and repeated her accusation to Capt. Itus at the Central Office. Detective Byrnes took her before Magistrate Crane in Jefferson Market police court, and after hearing her story a summons was issued for the saleswoman When the saleswoman appeared Mrs. Beau-champ said that while tring on a garment and observing its fit in a mirror she saw the

saleswoman pick up her purse, and although spoken to immediately the saleswoman spoken to immediately the saleswoman walked quickly away, taking the purse with her. She returned in five minutes, the woman said, and offered to allow herself to be searched. Other employees testified that the complainant accused several customers before pitching upon the saleswoman. Magistrate Crane emphatically refused to hold the woman

POLITE COP NABS SPITTERS. Brooklyn Policeman Accompanies Each Arrest

With an Apology. Policeman Jonas Grant of the sanitary squad in Brooklyn has the reputation of being a polite cop, and he sustained it yesterday while riding on a Fifth avenue elevated train To a young man sitting beside him and spitting on the floor he quietly remarked: "Young man, you will excuse me I hope, but you are violating the law. Although it is disagreeable to me I am obliged to arrest you.

The young man said he was William McDonald of 199 Garfield place. At this point in the conversation Grant saw a well-dressed. middle-aged man directly opposite deliber-ately clear his throat, and glancing toward the policeman and his prisoner, spit on the

floor [Grant crossed over and patted the middle-aged man on the shoulder as he sat down beside him. "My dear sir," asked Grant, "didn't you hear what I was saying to that young man over there?
"Pon my word, friend," returned the other,
"I was paying no attention to what was said,
and I don't think I care. It is none of my

"Oh, yes, it is your business," said Grant
"I have just arrested that gentleman for
pitting on the floor and I am sorry to say
hat I must do the same for you, sir. You
must excuse me, sir, but you are my prisoner
Will you please come over to the other side
of the car where I can take care of both of The second prisoner said he was Dr. Stephen Keyes of Seventy-third street. Both prisoners will have a hearing before Magistrate Brenner

n the Adams street court this morning.

CITY "STUCK" FOR \$203.399. Appellate Division Suggests That It Could Have Beaten Street Cleaners' Claim.

In deciding that the city must pay \$203,399 on the claims of 797 Street Cleaning Department drivers for eve time under the eighthour law the Appellate Division calls attention the fact that the appropriation was insufficient to pay for the extra time and that the Consolidation act, then in effect, barred claims against the city for debts incurred

claims against the city for debts incurred by the head of any department in excess of his appropriation. But the Corporation Counsel did not plead this section and the court says.

"The effect and bearing of this section is not before us because not pleaded, and while it is natural that we hesitate in affirming a judgment for such a large amount, and which as a precedent might furnish encouragement for any head of a department to evade the provisions of the law which was intended to prevent expenditure beyond the amount appropriated for the department, still upon the pleadings and the proof hefore us we see no escape from the conclusion reached by the referee, and must affirm the judgment."

An appeal is allowed.

SAY COP DRAGGED GIRL BY HAIR.

She Lay Down on Sidewalk When Arrested PATERSON, N. J., April 30.-Tilly Bufford, one of the striking cigar girls at Passaic was arrested this morning on charges of assault and battery, disorderly conduct and resisting an officer. She was bailed out.

resisting an officer. She was bailed out. It is understood that there are warrants out for half a dozen other girls.

The acts charged are said to have occurred last night when the thirty-three girls who had gone to work in the American Cigar Company's factory were going home. The strikers were on hand in large numbers and Annie Marks, one of the workers, was pounced upon by them. The police seized Tilly Bufford and Emma Snyder, but the Bufford girl lay down flat on the sidewalk and refused to budge. Some of the spectators say that a policeman dragged her by the hair along the sidewalk for ten or fifteen feet, but this is denied by the police. They say that when the girl would not go quietly they let her escape for fear of a riot.

STRAY SNAKE IN HOBOKEN. Fritz Thought He Them Noch 'Ma I Had Unti Some One Hit It With a Stick.

Fritz Heintzman, a longshoreman, was caning against one of the iron posts at the entrance to the Barclay street ferry, Hobe en, yesterday afternoon smoking when suddenly his pipe dropped from his mouth and he gave a yell that brought Detective Sergeant Nelson, three cops and about fifty other people to his side "What's the matter with you?" asked

"What's the many was not drank me a drop of beer in six monnat, and I have them again got. Look at them," he cried, pointing a trembling fluger at the ground. Wriggling in the gutter was a two-foot garter snake. How it got there no one could garter snake. garter snake. How it got there no one could guess, but Fritz seemed much relieved when a deckhand hit it with a stick and threw it into the river.

Manhattan Fire Barred From Texas.

AUSTIN, Tex , April 30 - State Commissione of Insurance Jefferson Johnson to-day issued an official order revoking the certificate of authority, heretofore granted the Manhattan Lire Insurance Company of New York city to do business in Texas The ground for this action is that the capital stock of the company has been impaired. The company will be reinstated in Texas when it makes good the alleged impairment of its capital stock.

Fire After a Funeral.

Adrian Martin, the thirteen-year-old son of Alexander Martin, died of scarlet fever t 229 West Eighty-third street, and after the funeral yesterday the family went to a the funeral yesterday the family went to a neighbor's to give the Health Board inspectors an opportunity to funigate the apartments. Soon after the department men had gone a gas leak was found in the flat. Adrian Martin, an uncle of the dead boy, found it by lighting a match. An explosion there-upon set the dining room ablaze and burned Mr. Martin's face and hands. The firemen soon had the fire out. on had the fire out

Crew of the Emma C. Knowles Turn Up. Capt Rogers and the crew of the lumberladen schooner Emma C. Knowles, which was discovered capsized off Barnegat on April 24, arrived here yesterday aboard the April 24, arrived here yesterday abourd the steamship City of Washington from Colon. The Knowles was rammed in the starboard bow on the night of April 23 by the steam-ship Allianca, bound from this port for Colon. The Allianca took off her crew and trans-lerred them to the City of Washington

Iwo Resignations From Wesleyan's Faculty. MIDDLETOWN, Conn., April 30 - Prof. Max Farrand, Professor of History and Dr. George H Ling, instructor in mathematics, have resigned from the Wesleyan University faculty Prof. Farrand goes to Leland Stanford, Jr. University where he will occupy the chair of history. Dr. Ling goes to Colum-bia as instructor in mathematics.

Post Office Inspectors Change Places. Theodore W. Swift has succeeded John D. King as Post Office Inspector in charge of the civido of New York. Mr. King goes to Spo-kane, Wash., whence Mr. Swift comes.

HE GETS TEMPORARY INJUNCTION AGAINST HIS REMOVAL.

Director of the Pathological Institute Takes Legal Steps to Prevent the State Lunacy Commissioners From Ousting Him From Office-His Entire Staff Is to Resign.

Dr. Ira Van Gieson, director of the Pathlogical Institute at 1 Madison avenue, obtained from Justice Andrews in the Supreme Court, yesterday, an order directing William Church Osborn and William L. Parkhurst, State Lunacy Commissioners, to show cause next Friday why an injunction should not be issued restraining the Lunacy Commission from removing Dr. Van Gieson from his office as Director of the Pathological Institute. The Commissioners were served with the order last evening.

Dr. Van Gieson was notified some time ago that his services would not be required after May 1. The order issued by Justice Andrews acts as a temporary injunction of the Commissioners and Dr. Van Gieson will hold his office until the temporary injunction s dissolved or made permanent. In speaking of the action of Dr. Van Gieson, Mr. Osborn said last night:

"The commission will appear by counsel before Justice Andrews on Friday and endeavor to show, to the satisfaction of the Court. 'that the injunction should not be granted. We were acting quite within our powers when we served notice on Dr. Van Gieson that his services would not be required after May 1. Six months ago we told him that, unless his work should be more satisfactory, he would be removed on May 1. As we were his employers we were to pass upon his work. It did not improve along the lines we desired and the doctor's removal followed." Dr. Van Gieson said yesterday that he and his

taff were under civil service rules and the

Lunacy Commission had no right to discharge them. The entire staff of the institute tendered its resignation vesterday to take effect when Dr. Van Gieson should be removed. This staff consists of eight medical men.

The Legislature made no appropriation this year for the Pathological Institute, which did not, however, use up all of its appropriation last year. Dr. Van Gieson said, by \$10,000. But the Legislature made provision for a receiving hospital for insane cases, witha pathological laboratory annex. Dr. Van Gieson says that the staff of this laboratory is to be appointed by the Lunacy Commission and that the whole affair is in revenge for the charges made last year by Dr. Alexander Lambert against Dr. Peter Wiss, President of the Lunacy Commission, who was removed by Gov. Roosevelt after a hearing upon the charges. Dr. Van Gieson is a personal friend of Dr. Lambert and supported him in his charges. The Legislature left the Pathological Institute without sufficient funds and forbade it to spend money for the rent of quarters. The specimens and the fittings of the Institute's quarters were removed yesterday by order of the Lunacy Commission to the Manhattan State Hospital at Ward's Island.

The institute of Pathology was created by statute in 1806 in accordance with recommendations of the State Commission in Lunacy the aim being "to provide for the exhaustive study of the causes and conditions that underlie mental diseases, from the standpoint of cellular blology, which is now elehem. The entire staff of the institute ten-

acy the aim being to provide for the Pahaustive study of the causes and conditions
that underlie mental diseases, from the standpoint of cellular biology, which is now elevated to the dignity of a special science;
also to provide instruction in brain pathology and allied subjects for the medical officers
of the State hospitals and to other members
of the medical profession, especially altenists
and neurologists who may desire to avail
themselves of the advantages afforded by
the department."

Dr Van Gieson was selected by that commission as director About \$200,000 has
been spent in its work and about 25,000 microscopic specimens have been prepared. The
Legislature revises the scheme by authorizing a psychopathic hospital with a superizing a psychopathic hospital with a super-intendent and director of the pathological laboratory to be selected by the commission, which also prescribes their duties.

Mackessey Sued for \$50,000, but as He Was
Stealing a Ride He Gets Nothing.

PATERSON. April 30.—The suit of John
Mackessey, 13 years of age, against the Jersey
City, Hoboken and Paterson Street Railway
Company for \$50,000 for the loss of seven fingers and other permanent injuries was tried
here to-day before Justice D.xon and a Jury
Mackessey was stealing a ride on a trolley
ar He had jumped upon the edge of the front
latform and was hanging on when the motornan threatened to hit him, but not before he
addriden two blocks. In imping off the
ov fell and was run over by the car. It was
laimed that the motorman ought to have
topped the car to put the boy off, but the jury
and that the boy had no cause for action.

Was placed at more than \$100,000. The building was destroyed, only the walls being left
standing. It is thought that the fire was
caused by a defective electric wire. Between fifty and fity-five newly painted open
cars which were to have been put in service
quantity of repair material.

Thomas Matesson, an electrician, jumped
from a second-story window, broke his leg
and received internal injuries. He was
taken to St. Catherine's Hospital. While
Fireman William Craven of Hook and Ladder
Company 52 was crossing the debris after
the fire, he fell against a projecting piece of
iron, broke two ribs and also received internal
injuries. He was taken to the Eastern Distriet Hospital, where his condition was proneighborhood were damaged to the extent
of about \$4,000. Mackessey was stealing a ride on a trolley car He had jumped upon the edge of the front

BIGGEST STATIONARY ENGINE. Largest Ever Built Exhibited in Pittsburg -To Be Used Here.

PITTSBURG, April 30. The largest staionary engine ever built in America was completed to-day by the Westinghouse Ma-

Fatal Fall From a Railroad Bridge. FOWLERVILLE, N. Y , April 30 - A slip and fall from the bridge of the Genesee and Wyoming road, on which he was working here to-day, so frightfully injured Thomas Collins, a stationary engineer from Ashtabula, Ohio that he died four hours later. He fell twenty feet, striking on the rocks, and when picked up was unconscious, his spine jugured, lung up was unconscious, his spine injured, lung pierced and skull fractured

Will Sell All He Has to Pay His Debts.

C A lissot, a well-known Hoboken real

Rentals of Newport Villas.

NEWPORT, R. I. April 30.—Charles Norman Fay has rented his cottage on the southerly side of Narragansett avenue known as "Quar-terfoil" to William R Gaw of Philadelphia, for the conving season Mrs. Buchanan Winthrop will occupy the villa of Col George

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THE NEW FURNITURE ANNEX OF

"The Little Shop," 253 Fifth Avenue, near 28th Street. pounces that Senores Hernandez Cuello and NOTHING BUT OLD ENGLISH AND COLO-NIAL FURNITURE AT VERY REA-SONABLE PRICES. Joubert, ministers, respectfully of foreign affairs, war and posts in the cabinet of President Jimenez have resigned.

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That's All!

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UNDERTAKER AND THE WIDOW

He Made Love to Her Coming From the Funeral She Says-Now Accuses Him of Larceny. Mrs. Ernestine Weninger of 500 East Sev enty-seventh street, who a year ago became the widow of John Ricque, and seven weeks ago was married to her present husband,

summoned Undertaker Arthur Steckel of Lexington avenue and 115th street before Magistrate Zeller in the Yorkville court yesterday and charged him with larceny of \$300 "This man Steckel buried my first hus band," Mrs. Weninger said. "He made love to me in the carriage when we drove home from the Lutheran Cemetery. Soon afterward he called on me. He heard that I had money in the bank which I had got from societies to which my late husband belonged.

"You should marry,' he told me. You are still young.

"Pshaw, who wants a poor widow like me? I replied.

"You are as good as any one,' said he.

me? I replied

"You are as good as any one, said he."
I'might want you myself.

"Now, you're fooling me, said I.

"Indeed. I'm not, said he. If you'll marry me and help me start another business I'll have a good home for you and your two children before Christmas.

"I was fool enough to believe him, and he got all my money, \$300, in three installments. He was to put it into the business in my own name, but he never did. And soon I found out he had married another girl, to whom he was engaged all the time while he was fooling me. I demanded my money back, and he replied I should get it as soon as he was able to pay." able to pay."

Magistrate Zeller adjourned the case till May 15, when he will decide whether or not a larceny charge shall be entertained against

CAR HOUSE FIRE A BAD ONE. Building and Fifty Cars Destroyed-Fireman Perhaps Mortally Hurt. The fire yesterday in the Brooklyn Rapid

Transit Company's brick storage building for cars and emergency crews in Flushing avenue, Williamsburg, was not extinguished until long after daybreak. The damage was placed at more than \$100,000. The build

THE BEOOKLYN MAGISTRATES.

Will Van Wyck Appoint New Ones? - Congressman-Elect Bristow Retires, Anyway. Magistrate Henry Bristow of Brooklyn wound up yesterday his judicial career, extending over a period of seven years. According to the law under which he was apcompleted to-day by the Westinghouse Machine Company and exhibited to local engineers at the shops in East Puttsburg. It is one of eight 6,000 horse power engines ordered by the New York Gas and Electric Light, Heat and Power Company More than 10,500 separate pieces of metal are used in the engine and it weighs 1,500,000 pounds. The height from the floor line to the top of the cylinders is 374 feet, width across the front, 41 feet, and through from front to rear, 23 feet, or the diameter of the fly wheel. The other seven engines are in course of construction.

Company Magistrates' law, whose constitutionality is questioned in some quarters, extended it until the close of the year. Magistrate to quit the bench any way, and he sent in his resignation to the Mayor on Monday. It was reported in the Willoughby Street auction 750m yesterday that Mayor 1 and 10 yes head of the proposity of the six Magistrates whose terms were extended, although he shares the opinion that the Magistrates' law is unconstitutional, on the ground that vexatious lightly and the second of the six Magistrates' law is unconstitutional, on the ground that vexatious lightly and the second of the six Magistrates' law is unconstitutional, on the ground that vexatious lightly and the second of the six Magistrates' law, whose constitutional its is questioned in some quarters, extended it until the close of the year. Magistrate the close of the year Magistrates are was perfectly and the close of the year. Magistrate the close of the year Magistrate and the close of the year. Magistrate are the close of

\$2 FOR AUTO SCORCHING. Kate Seymour Fined, but Her Male Companion

Gallantly Pays for Her Fun. Kate Seymour, the English actress now apearing in "The Casino Girl" at the Knickerocker Theatre, was fined \$2 in the Yorkville police court vesterday for the amusement had ordered the sale of all his possessions, including his home, to pay losses he has incurred in business in the last four years Mr rissot says this is the only course left to him as an honorable man and that he will pay every dollar he owes. state dealer announced yesterday that he she derived by running an automobile bethe machine and who accompanied her on the trip in order to instruct her, protested that he really was the guilty party, but Magistrate Zeller said he would have to fine Miss Sey-"I'll pay the fine for her." exclaimed Bow-man gallantly. And he did.

> Electric Railroad Combination Up the State. LYONS, N. Y. April 30 - The Lux Electric Railroad e inbination, which proposes to onnect Rochester and Syracuse by an elecric road, with branch roads in each village, o-day incorporated the Macedon Electric Railroad Company, capitalized at \$30,000, Railroad Company, capitalized at \$30,000, to connect the village of Macedon with the Central-Hudson and West Shore Railroad, a distance of three miles. The commination now has similar companies in Clyde, Lyons, Newark and Palmyra, and the scheme is being pushed for all it is worth. The directors of the Macedon company are Charles A Lux, Albert C Lux, Daniel E Lux, Che-les F Lux, Thomas Robinson, Charles A Rober, Samuel P Nichels, Elliott B. Norris and Nicholas A Mestier.

New Commander of the North Atlantic Squad-

Rear Admiral Norman H. Farquhar will retire from the command of the North Atantic squadron this morning and become chairman of the Lighthouse Board of the nated States Navy Rear Admiral Francis
I Higginson will succeed him as commander
of the squadron. The usual ceremonies incitental to the transfer of the command will
ake place on the quarter deck of the battlehip Kearsarge, the flagship of the squadron,
it the Brooklyn Navy Yard.

Held Classes Under the Trees. A new departure in Columbia educational

ethods was taken yesterday. Louis Auguste nethods was taken yesterday. Louis Auguste , obseaux, tutor in romance languages and iteratures and Daniel Jordan, lecturer in spanish were attracted by the sunshine, oirds and the other accompaniments of a ire spring day and forsook their classrooms in West Hall, holding their classes under

Three of Jimenez's Ministers Resign. A cable despatch from Santo Domingo an-

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That brings you light will run your elevators, printing presses, fans, and any machines requiring power. It is the progressive force of the new century,-it is a revelation to those using old methods.

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MANAMAN'S TARINE MOTH SHEETS. MIARINE

Clothes Hangers Insid .- Paren: Fastener. TRAGEDY AT A WEDDING FEAST.

Bridegroom Shoots and Kills a Man He Had Ordered from the House. AMSTERDAM, N. Y., April 3) -John McDermott, 25 years old, was shot and killed at an early hour this morning at the festivian early hour this morning at the festivities following a Polish wedding. The shot
was fired by the bridegroom, Albert Vettner.
McDermott and several companions were
ordered to leave the house, having become
objectionable to the family. When they
were on the outside the bridegroom stepped
to the door and fired the shot which struck
McDermott, resulting in his death soon afterward. A priest was summoned and performed
the last rites of the Catholic Church to the
dying man. Vettner was arrested and the
bride became hysterical.

New Trust Company in Brooklyn Planned. There is a movement in Brooklyn to organize a new trust company with a capital of It is said to be backed by some of the wealthiest financiers in the borough, and that weathlest financiers in the borough, and that it has been practically decided to select Clinton I. Rossiter, the former President of the Brooklyn Rapid Transit Company, as President and Oliver W. Denton, President of the Kings County Bank, as Vice-President It is understood that the company will not begin busiless until fall its offices are likely to be in the new Temple Bar office building in Court and Joralemon streets.

Pan-American Postage Stamps Out.

Large amounts of the Pan-American Erposition stamps were received yesterday by the New York Post Office. They will be on sale at all the branches this morning. The stamps are one cent green, Lake steamship: two cent, salmon pink, fast expression; four cent, chocolate, automobile; five cent ultramarine, suspension brid e at Nigara; eight cent, mauve, canal lock at Sault Ste Marie; ten cent, seal brown, ocean steam-

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Dear Sir I wish to state for the benefit of others who have not been able to know of the value of your operations, that when I came to you last February (1595), I had a stricture with which I had suffered for years, and for which I had tried every treatment during five years Four operations for toe Stricture and the Variencele were practically pain-

less, bloodless and eminently successful. I consider myself at the present time absolutely well of all these difficulties, and I have gained 18 pounds in weight since the operation

Every symptom connected with the Stricture and the Varioccie has entirely desoppeared. Yours re-spectfully.

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